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Joseph N. DiVincenzo, Jr.

Essex County Executive

September 2, 2009

James R. Paganelli

Essex County Counsel

Via Federal Express

Clerk

United States District Court

Mitchell H. Cohen Building

U. S. Courthouse

4th & Cooper Streets

Room 150

Camden, NJ 08101

RE: Florence v. Board of Chosen Freeholders of The County
of Burlington, et al.

Docket No. 05-03619 (JIIR)

Court of Appeals Docket No. 09-8038 & 09-8039

Dear Sir/Madam:

On August 26, 2009 the United States Court of Appeals for the Third Circuit granted defendants petition to appeal in this matter as per the enclosed Order.

Enclosed please find Appellate fees of \$455.00.

Also enclosed please find transcript purchase order form. Since the necessary transcript already in the district court's office, namely document 183, is in the District Court Clerk's office, no transcript is necessary for the appeal.

Respectfully submitted,

Alan Ruddy

Assistant County Counsel

973-621-5021

AR/mb

Enc.

cc: J. Brooks DiDonato, Esq.

Susan C. Lask, Esq.

Putting Essex County First

ESSEX COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

August 4, 2009

DCO-160

No. 09-8038 & 09-8039

ALBERT W. FLORENCE

v.

BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON;
BURLINGTON COUNTY JAIL; WARDEN JUEL COLE,
Individually and officially as Warden of Burlington County Jail;
ESSEX COUNTY CORRECTIONAL FACILITY;
ESSEX COUNTY SHERIFF'S DEPARTMENT;
STATE TROOPER JOHN DOE, Individually and in his capacity as a State Trooper;
JOHN DOES 1-3 of Burlington County Jail & Essex County Correctional Facility
who performed the strip searches; JOHN DOES 4-5

Essex County Correctional Facility;
Essex County Sheriff's Department, Petitioners in **09-8038**

Board of Chosen Freeholders of the County of Burlington;
Warden Juel Cole, Petitioners in **09-8039**
(D.N.J. No. 1-05-cv-03619)

Present: BARRY, AMBRO and SMITH, Circuit Judges.

1. Petition by Essex County Correctional Facility and Essex County Sheriff's Department for Permission to Appeal the District Court's **02/04/09** Order granting Summary Judgment.
2. Petition by the Board of Chosen Freeholders of the County of Burlington and Warden Juel Cole for Permission to Appeal the District Court's **02/04/09** Order granting Summary Judgment.
3. Response by Respondent Albert W. Florence in Opposition to the Petitions for Permission to Appeal.

/s/ Anthony Infante
Anthony Infante
Case Manager 267-299-4916

ORDER

The foregoing Petitions for Permission to Appeal are GRANTED.



A True Copy

Marcia M. Waldron

Marcia M. Waldron, Clerk
Certified order issued in lieu of mandate.

By the Court,

/s/ D. Brooks Smith

Circuit Judge

Dated: August 26, 2009

AWI/arl/cc: MVC; SCL; JBD; AR; SLM